



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT
FEBRUARY 18, 2021

TO: Members of the Planning Commission

FROM: Jaclyn Rackerby, Assistant Planner

FILE NO.: CUP-2020-001

PROPOSAL: Request for a Conditional Use Permit to allow for the sale and off-site consumption of beer and wine via a Type 20 liquor license from the State Department of Alcoholic Beverage Control for the existing gas station located at 24115 Calabasas Road (APN: 2069-007-908), within the Commercial Retail (CR) zoning district, Commercial Auto Retailer (CAR) Overlay Zone and the Scenic Corridor (SC) Overlay Zone.

APPLICANT: Amirian Family Trust

RECOMMENDATION: Adopt Resolution No. 2021-708, approving File No. CUP-2020-001.

STAFF RECOMMENDATION:

That the Commission adopt Resolution No. 2021-708, approving CUP-2020-001 for a Conditional Use Permit to allow for the sale and off-site consumption of beer and wine via a Type 20 liquor license from the State Department of Alcoholic Beverage Control (ABC) at the existing gas station/convenience store located at 24115 Calabasas Rd.

REVIEW AUTHORITY:

The project is before the Planning Commission for review pursuant to Calabasas Municipal Code Section 17.12.035 (D), which states that alcoholic beverages may be sold in drug stores, grocery stores, and convenience markets, provided that the alcoholic beverage display in convenience markets that are part of a service station is limited to twenty-five (25) percent of the sales floor. In accordance with Section 17.62.060 (D) of the CMC, the director shall make a recommendation to the Planning Commission who shall hold a public hearing to review the project.

BACKGROUND:

On July 6, 2020, Dustin Woomer, Diamond West Inc. (owner's representative) submitted an application on behalf of the Amirian Family Trust (applicant and owner) to initiate a request for approval of a Conditional Use Permit to allow for the sale and off-site consumption of beer and wine via a Type 20 liquor license from the State Department of Alcoholic Beverage Control for the existing gas station and convenience store located at 24115 Calabasas Rd (APN: 2069-007-908). The property was previously under the ownership of the City of Calabasas, and use of the site was leased by the applicant. The City Council adopted a resolution to approve the sale of this property to the applicant on February 26 2020, and the land sale finalized on February 3, 2021. With the land sale finalized, the project was deemed complete by staff on February 4, 2021.

STAFF ANALYSIS:

- A. Alcohol Sales: The Type 20 liquor license, for which the Amirian Family Trust is applying, is the "Off-Sale Beer & Wine" license. This license authorizes the sale of beer and wine for consumption off the premises where sold, and allows minors on the premises.

The existing convenience store is in operation 24 hours a day, but the sales of alcohol will be limited to state law requirements. Currently, state law prohibits retail alcohol sales between the hours of 2am and 6am. Sales will be occurring within the existing convenience store, and there are no proposed improvements to the exterior of the facility. 5 employees currently work at the convenience store, and this is not expected to change as a result of the proposed CUP application.

Alcohol sales are conditionally permitted in conjunction with a primary allowable use (convenience store/gas station) in the CR zoning district per the Municipal Code. The project application and plans were reviewed by the City's Development Review Committee and no concerns were raised by the Committee. The Los Angeles County Sheriff's Department has indicated that the Sheriff has no objections to the request and that the project is acceptable as proposed.

- B. Site Design/Building Layout: The subject site is located on the northwestern corner of the intersection at Calabasas Rd and Parkway Calabasas, just south of the 101 Freeway. Due to the proximity of the site to the 101 freeway, the subject site is located within the 101 Freeway Scenic Corridor. However, there are no proposed modifications to the site layout or to the exterior of the building, and thus a Scenic Corridor Permit is not necessary for the current project.

The applicant is applying for a Conditional Use Permit for a Type 20 liquor license at an existing convenience store. The existing site is fully developed with a gas station,

convenience store, and car wash, which was approved by the City Council in 2003 by Resolution No. 2003-820. The applicant is not proposing to alter the exterior of the facility or the current site design, and the only change to the interior building layout will be within the sales area. Two display units, approximately 7% of the sales floor, will be dedicated to the sale of alcohol. The alcohol display area, located adjacent to the front entrance of the store, is the only proposed modification to the interior to accommodate the sale of alcohol.

REQUIRED FINDINGS:

The findings required in Section 17.62.060 of the Calabasas Municipal Code for a Conditional Use Permit are contained in the resolution attached as Exhibit A.

ENVIRONMENTAL REVIEW:

This project is exempt from environmental review in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines (General Rule Exemption) and Section 15301 (Existing Facilities) of the Guidelines.

CONDITIONS OF APPROVAL:

See conditions contained in the resolution attached as Exhibit A.

PREVIOUS REVIEWS:

Development Review Committee (DRC):

July 23, 2020

No comments.

ATTACHMENTS:

- Exhibit A: Planning Commission Resolution No. 2021-708
- Exhibit B: Project Plans
- Exhibit C: Project Narrative
- Exhibit D: Table of Off-Sale Liquor Licenses Issued in Calabasas

TECHNICAL APPENDIX

Location Map:



Surrounding Properties:

	Existing Land Use	Zoning	General Plan Designation
Site	Convenience Store / Gas Station	Commercial, Retail	Business, Retail
North	101 Freeway	N/A	N/A
East	Convenience Store / Gas Station	Commercial Mixed Use	Mixed Use
West	Motor Vehicle Sales	Commercial, Retail	Business, Retail
South	Public Utility Office	Public Facilities	Public Facilities - Institutional